

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1. **(Currently Amended)** An isolated polynucleotide comprising a GDF-9 regulatory element comprising a portion of a nonhuman GDF-9 gene capable of regulating expression of an operably linked gene in oocytes or testis, wherein the portion is selected from the group consisting of the first 10 kilobases of DNA of the murine GDF-9 gene immediately 5' of the transcription start site ~~or a portion thereof~~ or DNA at least 95% identical thereto, the first 3.3 kilobases of DNA of the murine GDF-9 gene immediately 5' of the transcription start site ~~or a portion thereof~~, ~~an intron, and~~ or DNA at least 95% identical thereto, the first 1 kilobase of DNA of the murine GDF-9 gene immediately 3' of the transcription termination site or DNA at least 95% identical thereto, and portions thereof, ~~or a portion thereof~~, and wherein the portion is at least 300 ~~greater than 264~~ nucleotides in length.

2. **(Currently Amended)** The polynucleotide of claim 1, wherein the regulatory element comprises the first 3.3 kilobases of DNA of the murine GDF-9 gene immediately 5' of the transcription start site or DNA at least 95% identical thereto ~~of the nonhuman GDF-9 gene~~, or a portion thereof, and wherein the polynucleotide is capable of promoting expression of the operably linked gene in oocytes or testis.

3. **(Currently Amended)** The polynucleotide of claim 1, wherein the regulatory element comprises the first 300 base pairs of DNA of the murine GDF-9 gene immediately 5' of the transcription start site or DNA at least 95% identical thereto ~~of the nonhuman GDF-9 gene~~, or a portion thereof, and wherein the polynucleotide is capable of promoting expression of the operably linked gene in oocytes.

4. **(Currently Amended)** The polynucleotide of claim 1, wherein the regulatory element comprises the first 10 kilobases of DNA of the murine GDF-9 gene immediately 5' of

the transcription start site or DNA at least 95% identical thereto ~~of the nonhuman GDF-9 gene~~, or a portion thereof, and wherein the polynucleotide is capable of promoting expression of the operably linked gene in oocytes, but not in testis.

5-6. **(Canceled)**

7. **(Currently Amended)** An isolated regulatory element capable of promoting expression of an operably linked gene in oocytes or testis, comprising the first 3.3 kilobases of DNA of the murine GDF-9 gene immediately 5' of the transcription start site or DNA at least 95% identical thereto ~~of a GDF-9 gene~~, or a portion thereof which is at least 300 ~~greater than 261~~ nucleotides in length.

8. **(Currently Amended)** An isolated regulatory element capable of promoting expression of an operably linked gene in oocytes, comprising the first 10 kilobases of DNA of the murine GDF-9 gene immediately 5' of the transcription start site or DNA at least 95% identical thereto ~~of a GDF-9 gene~~, or a portion thereof which is at least 300 ~~greater than 261~~ nucleotides in length.

9. **(Canceled)**

10. **(Currently Amended)** The regulatory element of claim 8, wherein the element comprises the region from 3.3 kilobases to 10 kilobases of DNA of the murine GDF-9 gene immediately 5' of the transcription start site or DNA at least 95% identical thereto ~~of the a GDF-9 gene~~, and wherein said element downregulates expression of a gene operably linked to the element in the testis.

11. **(Previously Presented)** An expression vector comprising the isolated GDF-9 polynucleotide of any one of claims 1-4, operably linked to a gene.

12. **(Original)** The expression vector of claim 11, wherein the gene is a reporter gene.

13. **(Previously Presented)** An oocyte transformed with the vector of claim 11.

14.-24. **(Cancelled)**

25. **(Previously Presented)** A testicular cell transformed with the vector of claim 11.

26. **(New)** An isolated polynucleotide comprising a portion of the mouse GDF-9 gene capable of regulating expression of an operably linked gene in oocytes, wherein the portion comprises the first 10 kilobases of DNA immediately 5' of the transcription start site of the GDF-9 gene.

27. **(New)** An isolated polynucleotide comprising a portion of the mouse GDF-9 gene capable of regulating expression of an operably linked gene in oocytes or testis, wherein the portion comprises the first 3.3 kilobases of DNA immediately 5' of the transcription start site of the GDF-9 gene.